



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 2:13-CR-352-GMN-(PAL)
)
JOHN ORTEGA,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on August 4, 2014, defendant JOHN ORTEGA pled guilty to Counts One and Five of a Five-Count Criminal Indictment charging him in Count One with Conspiracy to Possess a Controlled Substance with Intent to Distribute in violation of Title 21, United States Code, Sections 841(a)(1) and 846 and in Count Five with Laundering Monetary Instruments in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i). Criminal Indictment, ECF No. 6; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds defendant JOHN ORTEGA agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment. Criminal Indictment, ECF No. 6; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment and the offenses to which defendant JOHN ORTEGA pled guilty.

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 924(d)(1), (2)(C), and (3)(B) and Title 28, United States Code, Section 2461(c); Title 21, United States
3 Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c); Title 21, United States
4 Code Section, 853(a)(1) and (a)(2); Title 18, United States Code, Section 981(a)(1)(A) and Title 28,
5 United States Code, Section 2461(c); and Title 18, United States Code, Section 982(a)(1):

- 6 1. a 9mm, Smith & Wesson pistol, model SW9VE, with an unknown serial number;
 - 7 and
 - 8 2. any and all ammunition;
 - 9 3. \$44,302.00 in United States Currency
- 10 (all of which constitutes "property").

11 This Court finds the United States of America is now entitled to, and should, reduce the
12 aforementioned property to the possession of the United States of America.

13 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
14 United States of America should seize the aforementioned property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
16 JOHN ORTEGA in the aforementioned property is forfeited and is vested in the United States of
17 America and shall be safely held by the United States of America until further order of the Court.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
19 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
20 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
21 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
22 name and contact information for the government attorney to be served with the petition, pursuant to
23 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
25 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
26 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the

1 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
2 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
3 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
4 petition and the relief sought.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
6 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
7 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
8 after the first day of the publication on the official internet government forfeiture site,
9 www.forfeiture.gov.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
11 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
12 following address at the time of filing:

13 Michael A. Humphreys
14 Assistant United States Attorney
15 Daniel D. Hollingsworth
16 Assistant United States Attorney
17 Lloyd D. George United States Courthouse
18 333 Las Vegas Boulevard South, Suite 5000
19 Las Vegas, Nevada 89101.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
21 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
22 following publication of notice of seizure and intent to administratively forfeit the above-described
23 property.

24 DATED this 4 day of August, 2014.

25 
26 UNITED STATES DISTRICT JUDGE